

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

David M. Baker
Patricia L. Baker
Debtor(s)

Case No. 9:14-bk-12093-FMD

**TRUSTEE'S MOTION TO DISMISS FOR FAILURE
TO MAKE PLAN PAYMENTS TO TRUSTEE**

JON M. WAAGE, the Chapter 13 Standing Trustee, hereby moves to dismiss the above-styled Chapter 13 case, and in support thereof would state as follows:

1. As of February 27, 2015, the Debtor(s) are delinquent in payments ordered to be paid to the Chapter 13 Trustee to the extent of \$1088.00, which sum is through and including the February, 2015 payment.
2. The Debtor's failure to make timely payments to the Chapter 13 Trustee is in violation of the terms of the Order Establishing Duties of the Debtor entered in this case and constitutes grounds for dismissal pursuant to 11 U.S.C. §1307(c)(1) as willful failure of the Debtor(s) to abide by Orders of the Court and is an unreasonable delay that is prejudicial to creditors.

WHEREFORE, the Trustee respectfully requests that the Court enter an Order of Dismissal for the above-styled Chapter 13 case, together with such other and further relief as the Court deems just and proper.

I HEREBY CERTIFY that a true and correct copy of the foregoing Trustee's Motion to Dismiss For Failure to Make Plan Payments to Trustee was furnished, electronically or by U.S. Mail, to **David M. Baker, 4580 Sweden Walker Rd, , Brockport, NY 14420, Patricia L. Baker 1624 SW 43rd Terrace Cape Coral FL 33914- and Richard J. Hollander, Esq., Miller and Hollander, 2430 Shadowlawn Dr., Suite 18, Naples, FL 34112-**, on February 27, 2015.

/s/ Jon M. Waage
Jon M. Waage, TRUSTEE
Post Office Box 25001
Bradenton, Florida 34206-5001
Phone (941) 747-4644
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JMW/av